IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FOURTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 586 of 2005

Between:

Daddolu Ramanamma, W/o. Late Venkaiah, Hindu,
R/o. Thurimerla Village, Dagadarthi Mandal, Nellore District.

..... PETITIONER

AND

1 The District Collector, Nellore, Nellore District.
2 The Revenue Divisional Officer, Kavali, Nellore District.
3 The Mandal lRevenue Officer, Dagadarthi Mandal, Nellore District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction, one in the nature of Writ of Certiorari calling for the entire records in Rc.No.B/223/2004 dated 14-9-2004 issued by the 3rd respondent herein and quash the same and to pass such other just and appropriate orders in the matter.

Counsel for the Petitioner: MR.K.DURGA PRASAD

Counsel for the Respondents: GP FOR REVENUE

The Court at the admission stage made the following:

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ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue appearing on behalf of the respondents and with their consent, the writ petition is being disposed of finally at the admission stage.

In this writ petition, petitioner is challenging the impugned order dated 14-09-2004 passed by the third respondent/Mandal Revenue Officer in Rc.No.B.223/2004 in exercise of the powers under the provisions of A.P. Assigned Lands (Prohibition of Transfers) Act, 1977 (for short 'the Act') in respect of Ac.1-27 cents of land in Survey No.339-9 of Thurimerla Village, Dagadarthi Mandal of Nellore District. It is also stated that the petitioner is entitled for the benefit under section 3 (5) of the Act 9 of 1977 and has submitted his explanation on 28-7-2004 and without considering the same the respondents are trying to dispossess the petitioner. It is also stated that as against the impugned order an appeal lies to the 2nd respondent/Revenue Divisional Officer and the same is not being entertained by the 2nd respondent/Revenue Divisional Officer. Hence the writ petition.

Having regard to the facts and circumstances of the case, I deem it appropriate to dispose of the writ petition permitting the petitioner to file an appeal together with an application for interim orders, before the 2nd respondent/Revenue Divisional Officer, within a period of four weeks from today. On filing such an appeal, the 2nd respondent/Revenue Divisional Officer is directed to consider the same and pass appropriate orders in accordance with law expeditiously. Till such time, status

quo existing as on today shall be maintained.

Accordingly, the writ petition is disposed of. No costs.

Dated: 24.01.2005

Dsr/Tvk

ASSISTANT REGISTRAR

To:

1 The District Collector, Nellore, Nellore District.
2 The Revenue Divisional Officer, Kavali, Nellore District.
3 The Mandal lRevenue Officer, Dagadarthi Mandal, Nellore District.

4 Two CCs to the Government Pleader for Revenue,

High Court Buildings, Hyderabad(OUT)

5 Two CD copies

*Form-NIC-OGS/WP{**SPJS**}*